

KEVIN V. RYAN (CASBN 118321)
United States Attorney

EUMI L. CHOI (WVSBN 0722)
Chief, Criminal Division

MICHELLE MORGAN-KELLY (DEBN 3651)
Assistant United States Attorney

1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510)637-3705
Fax: (510)637-3724
michelle.morgan-kelly@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 06-0172-CRB
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING DEADLINE FOR
v.)	GOVERNMENT'S RESPONSE TO
)	DEFENDANT'S MOTION TO SUPPRESS
ROBERT WAYNE SMITH,)	FROM SEPTEMBER 20, 2006 UNTIL
)	SEPTEMBER 21, 2006
Defendant.)	

With the agreement of the parties, and with the consent of the defendant, the Court enters this order continuing the response date for the government one day from September 20, 2006 until September 21, 2006. The parties agree, and the Court finds and holds, as follows:

1. Defendant has filed a motion to suppress. Pursuant to the Local Rules, the government's response to this motion is due on September 20, 2006. The motions hearing currently is set for September 27, 2006.
2. Due to the need to obtain various declarations and the fact that the case agent is on leave this entire week, the government is seeking an additional day to prepare its response.
3. Defense counsel has no objection to the continuance.

For these reasons, the parties respectfully request that the Court enter this order continuing the

1 response date for the government until September 21, 2006.

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3 IT IS SO STIPULATED:

4 DATED: 9/20/06

/s/
JOSH COHEN
Assistant Federal Public Defender

6
7 DATED: 9/19/06

/s/
MICHELLE MORGAN-KELLY
Assistant United States Attorney

8 IT IS SO ORDERED.

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10 DATED: Sept. 21, 2006

CHARLES R. BREYER
United States District Court Judge

